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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,548	01/17/2002	Jan Peter Janssen	1731	7095

7590 01/26/2005

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EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/936,548

Applicant(s)

JANSSEN, JAN PETER

Examiner

Srilakshmi K. Kumar

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09/30/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

The following office action is in response to the request for reconsideration filed August 5, 2004.

Applicant's representative, further initiated an in person interview on November 12, 2004, to discuss the filed request for reconsideration. An interview summary was given to applicant's representative.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott et al (US 6,272,562) in view of Scott et al (US 6,263,090) (known hereafter as Scott '090).

As to independent claim 1, Scott et al disclose a device for information input and/or output (Fig. 1, item 100), wherein the device has a processor (Fig. 2, item 210, col. 4, lines 20) and a display with a touch sensitive layer (Fig. 1, item 108, fingerprint scanner), wherein the display has operator control elements and information fields (Fig. 1), and wherein the device is connected to a communications network by means of a communications module that is connected to the processor (col. 4, lines 18-50); Scott et al discloses recessed mounting in Fig. 1, where item 108 is recessed. Scott et al does not disclose wherein the device is embodied such that the device fits into a frame that is suitable for a surface mounted socket. Scott '090 discloses in Figs. 1 wherein the device is suitable for a surface mount socket. It would have been

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obvious to one of ordinary skill in the art that the fingerprint scanner of Scott '090 could have been mounted on the surface as it discloses a flat, framed shape.

As to dependent claim 2, limitations of claim 1, and further comprising, characterized in that the recessed and surface mounted socket has a minimum internal size of 54 mm and/or a mounting hole spacing of 60 or 60.3 or 83 mm. Although Scott et al and Scott '090 do not disclose where the recessed and surface mounted socket has a minimum size or mounting hole, it would have been obvious to one of ordinary skill in the art that the systems could have been altered in order to adapt to different sizes as they could be made to be of any size.

As to dependent claim 3, limitations of claim 1, and further comprising, wherein the device has a maximum structural height of 12 mm. Although Scott et al and Scott '090 do not disclose maximum height; it would have been obvious to one of ordinary skill in the art that they could have been made of any size.

As to dependent claim 4, limitations of claim 3, and further comprising, a light is placed behind the display, and that the light has a plastic film with a diffusion coating and an optical fiber waveguide connection. Scott et al does not disclose where a light is placed behind the display and that the light has a plastic film with a diffusion coating and an optical fiber waveguide connection. Scott '090 discloses a fingerprint scanner portion having a housing with an upper surface having the fingerprint scanner plate. The finger is placed on the scanner plate and illuminated by an LED light source of certain spectral characteristics through the lens into the bottom of the prism (Fig. 2, col. 1, line 66-col. 2, lines 50). It would have been obvious to one of ordinary skill in the art that the fingerprint scanner of Scott et al could have been adapted to incorporate that of Scott '090 as Scott et al does disclose instrumentation to capture the

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fingerprint, but does not discuss in detail what the instrumentation would have been, therefore the system could have been that of Scott '090 which would have been advantageous as the system is clear and very concise deriving a quality image.

As to dependent claim 5, limitations of claim 4, and further comprising, wherein the display is a liquid crystal display. Although the display is not explicitly stated to be one of an LCD, it would have been obvious to one of ordinary skill in the art that an LCD could have been incorporated as they produce higher resolution images.

As to dependent claim 6, limitations of claim 1, and further comprising, wherein the communications module communicates with the communications network constantly or at intervals (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 7, limitations of claim 1, and further comprising, wherein the communications module communicates with the communications network in wireless or hard wired fashion (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 8, limitations of claim 1, and further comprising, wherein the operator control elements and information fields shown by the display are programmable, and a time interval between a reprogramming of the operator control elements and information fields is specified (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 9, limitations of claim 8, and further comprising, wherein the processor rearranges the operator control elements and information fields shown by the display at predetermined time intervals on the principle of randomness (col. 6, lines 13-30, 63-col. 7, lines 5).

As to dependent claim 10, limitations of claim 1, and further comprising, wherein the processor allows a configuration in which the processor offers respective configuration menus for use in the area of efficiency, physical access control, security technology and building installation practice (col. 8, lines 32-67).

As to dependent claim 11, limitations of claim 1, and further comprising, wherein the device has a fingerprint sensor (Fig. 1, item 108).

As to dependent claim 12, limitations of claim 1, and further comprising, wherein the device of the invention has a card reader (Fig. 2, daughter card).

### ***Response to Arguments***

3. Applicant's arguments filed August 5, 2004 have been fully considered but they are not persuasive.

In regards to independent claim 1, applicant argues where the prior art Scott '562 does not disclose a touch sensitive layer. Examiner, respectfully, disagrees. Scott '562 does disclose a fingerprint scanner, Fig. 1, item 108, and col. 3, lines 52-55, where the fingerprint scanner captures a user's fingerprint, and may be any suitable type of fingerprint scanner. It would have been obvious to one of ordinary skill in the art that fingerprint scanners could have a touch sensitive layer so as to recognize when a finger is placed on the pad to be scanned or read.

With respect to dependent claims 8 and 9, applicant argues where the prior art Scott '562 does not disclose the limitations set forth by these claims. Examiner, respectfully, disagrees. Scott '562, discloses a processor with software. It would have been obvious to one of ordinary skill in the art that the user is able to program the software to change control elements and information fields as required.

The combination of Scott et al '562 and Scott '090 disclose the limitations of the claimed invention, therefore the rejection is maintained and made final.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575. The examiner can normally be reached on 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, xxxx xxxx can be reached on xxx xxx xxxx. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 4700.

Srilakshmi K. Kumar

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Examiner  
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SKK  
January 24, 2005

A handwritten signature in black ink, appearing to read "Dennis Dechow".

DENNIS-DECHOW  
PRIMARY EXAMINER